

SUMMARY MINUTES OF THE SAINT PAUL CITY COUNCIL Wednesday, February 7, 2007 - 3:30 p.m.

CITY COUNCIL CHAMBERS, 3RD FLOOR City Hall and Court House 15 West Kellogg Boulevard

Note: All City Council meetings are on the City of Saint Paul's website. Meetings can be viewed in their entirety or a specific item can be viewed. Visit our website at www.ci.stpaul.mn.us/council and click on Watch the Live Webcast

Council President Lantry called the meeting to order at 3:30 p.m.

Present – 5– Bostrom, Helgen, Lantry, Montgomery, Thune

Absent -2 – Benanav (arrived after the consent agenda), Harris (arrived for public hearings)

Councilmember Helgen requested Item 31 be laid over one week. Council President Lantry laid over Item 34 one week.

Councilmember Helgen moved approval of the consent agenda as amended. Adopted as amended Yeas - 5 Nays - 0

CONSENT AGENDA (Items 1 - 42)

NOTE: ALL ITEMS LISTED UNDER CONSENT AGENDA WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS. IF DISCUSSION IS DESIRED BY A COUNCILMEMBER, THAT ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

COMMUNICATIONS AND ADMINISTRATIVE ORDERS

- 1. Claims of American Family Insurance (for John Jotblad), Lawrence Davies, Mendakota Insurance Company (for Norma Gilpin), Greg Schneider, Jessica Tani, Carole Thompson, Robert Ward, Qwest Communications, Earlene Verrett, and Jennifer Young.

 Referred to Risk Management
- 2. Summons and Complaint in the matter of Jean M. Podulke vs. the City of Saint Paul. Referred to the City Attorney's Office
- Notice of Motion and Motion, Affidavit, Legal Memorandum and Proposed Order in the matter of the Housing and Redevelopment Authority of Saint Paul vs. Randy Everson, Bee Vue, et al.
 Referred to the City Attorney's Office

4. Statement of Claim and Summons in the matter of Robert M. Suter vs. one seized 2003 Ford Van.

Referred to the City Attorney's Office

- 5. Letter from Neighborhood Housing and Property Improvement, Vacant/Nuisance Buildings Enforcement Division, declaring 63 Jessamine Avenue West, 67 Jessamine Avenue West, 1102 Sylvan Street, and 581 Van Buren Avenue as nuisance properties, and setting date of Legislative Hearings for February 20, 2007 and City Council public hearings for March 7, 2007.
- 6. Administrative Order:

D002624 Accepting a water easement on the Jimmy Lee Rec. Center site. On File in the City Clerk's Office

FOR ACTION

7. Approval of minutes of January 10, 17, and 24, 2007.

Adopted Yeas - 5 Nays - 0

- 8. Resolution 07-80 Approving a Memorandum of Agreement between the City and the Saint Paul Supervisors Organization (SPSO.) (To be laid over one week for adoption)

 Laid over to February 14 for adoption Yeas 5 Nays 0
- 9. Resolution 07-81 Establishing the rate of pay for Payroll Manager in Grade 18A of the Non-Represented Employee Group 17.

Adopted Yeas - 5 Nays - 0

10. Resolution – 07-82 – Changing the rate of pay for the classification titled Parks and Recreation Director from Grade 032 to Grade 036 of Employee Group 17, Non-Represented Managers.

Adopted Yeas - 5 Nays - 0

- 11. Resolution 07-83 Revising the City of Saint Paul Workplace Conduct Policy. Adopted Yeas 5 Nays 0
- 12. Resolution 07-84 Extending the current contract with Frank Madden, Public Labor Relations Expert, to provide labor relations training and advice concerning ongoing labor negotiations.

Adopted Yeas - 5 Nays - 0

13. Resolution -07-85 – Approving payment in the amount of \$17,257.31 to Margaret J. Norman and Marjorie Ross in full settlement of their claim against the City of Saint Paul. Adopted Yeas -5 Nays -0

14. Resolution – 07-86 – Approving the issuance of Port Authority Limited Tax-Supported Brownfield Redevelopment Program Bonds in the approximate principle amount of \$12,665,000, Series 2007-2.

Adopted Yeas - 5 Nays - 0

15. Resolution - 07-87 – Approving the decision of the Legislative Hearing Officer on an appeal of a Deficiency List to a Certificate of Occupancy for property at 866 Jessie Street. Adopted Yeas – 5 Nays – 0

16. Resolution - 07-88 – Approving the decision of the Legislative Hearing Officer on an appeal to a Code Compliance Inspection Report for property at 779 Sixth Street East. Adopted Yeas – 5 Nays – 0

17. Resolution – 07-89 – Authorizing the proper City officials to enter into a Land Use Agreement with the Church of the Holy Spirit, 512 South Albert Street Adopted Yeas – 5 Nays – 0

18. Resolution – 07-90 – Approving the list of eligible organizations for the 2007 Charitable Gambling 10% Club
Adopted Yeas – 5 Nays – 0

19. Resolution - 07-91 - Authorizing the City to apply for matching grant funds from the Minnesota Historical Society to be used for creating a city-wide preservation plan Adopted Yeas - 5 Nays - 0

20. Resolution – 07-92 – Approving the license application with conditions, per the Legislative Hearing Officer, of Joe Furth, co-owner, Eclipse Records of Minnesota LLC, d/b/a Eclipse Records, 1922 University Avenue West.

Adopted Yeas - 5 Nays - 0

21. Resolution – 07-93 – Approving adverse action against the Malt On Sale (strong) and Wine On Sale licenses held by Zander, Inc., d/b/a Zander Café, 523 Selby Avenue.

Adopted Yeas – 5 Nays – 0

22. Resolution – 07-94 – Referring the license application to an Administrative Law Judge, per the Legislative Hearing Officer, for Wine On Sale, Malt On Sale (strong), Restaurant B – more than 12 seats, and Entertainment by Airiya Song, Dara Thai, Inc., d/b/a Dara Thai Restaurant, 769 Milton Street North.

Adopted Yeas - 5 Nays - 0

23. Resolution – 07-95 – Authorizing the Department of Fire and Safety Services to accept a donation of \$1,000.00 from Wal-Mart to support public safety services provided to the City of Saint Paul.

Adopted Yeas - 5 Nays - 0

24. Resolution – 07-96 – Authorizing the Department of Fire and Safety Services to accept a donation of \$3,000.00 from the Andersen Corporation for Risk Watch, an injury prevention program.

Adopted Yeas - 5 Nays - 0

25. Resolution – 07-97 – Authorizing the Police Department to enter into a Memorandum of Understanding with the City of St. Anthony, acting through its Police Department, for participation in the Minnesota Cyber Crimes Task Force.

Adopted Yeas - 5 Nays - 0

26 Resolution – 07-98 – Authorizing the Police Department to enter into a Memorandum of Understanding with Lincoln County, acting through its Law Enforcement Agency, for participation in the Minnesota Cyber Crimes Task Force.

Adopted Yeas - 5 Nays - 0

27. Resolution – 07-99 – Authorizing the Police Department to enter into an agreement with the Minnesota Department of Public Safety for a Night Cap Grant received for the period October 1, 2006 through September 30, 2007

Adopted Yeas - 5 Nays - 0

28. Resolution – 07-100 – Authorizing the Police Department to enter into an amendment to a grant agreement with the State of Minnesota for participation in the statewide Gang Strike Force.

Adopted Yeas - 5 Nays - 0

29. Resolution – 07-101 – Authorizing the Police Department to enter into an intragovernmental amendment to an agreement with the Ramsey County Sheriff's Office to allow Police Officer Russell Garvey to facilitate canine training to the Sheriff's Office for an additional 12 months effective December 31, 2006.

 $Adopted \qquad Yeas-5 \qquad Nays-0$

30. Resolution – 07-102 – Authorizing the Department of Public Works to enter into an agreement with the State of Minnesota to provide six hours of breakout sessions for an employee conference on "Team Work."

Adopted Yeas - 5 Nays - 0

31. Resolution – 07-103 – Authorizing the diversion of City parkland, located southerly of 501 Shepard Road (Xcel Energy High Bridge Plant), in accordance with City Charter requirements.

Laid over to February 14 Yeas – 5 Nays - 0

32. Resolution – 07-104 – Giving fund approval for the 2007 Residential Street Vitality project areas and tentative approval of 2008-2011 project areas.

Adopted Yeas - 5 Nays - 0

33. Resolution – 07-105 – Amending the legal description of previously vacated small portions of Sibley and Wacouta Streets in C.F. 06-1007.

Adopted Yeas - 5 Nays - 0

34. Resolution – 07-106 – Establishing the Year 2007 Residential Street Vitality Program assessment rates.

Laid over to February 14 Yeas - 5 Nays - 0

35. Preliminary Order – 07-107 – In the matter of improving the area referred to as the Griggs/Jefferson RSVP (Residential Street Vitality Project), and setting date of public hearing for March 7, 2007. (File No. 19031)

Adopted Yeas - 5 Nays - 0

36. Preliminary Order – 07-108 – In the matter of improving the area referred to as the Hubbard/Griggs RSVP (Residential Street Vitality Project), and setting date of public hearing for March 7, 2007. (File No. 19033)

Adopted Yeas - 5 Nays - 0

37. Preliminary Order – 07-109 – In the matter of improving the area referred to as the Seventh/Bay RSVP (Residential Street Vitality Project), and setting date of public hearing for March 7, 2007. (File No. 19034)

Adopted Yeas - 5 Nays - 0

38. Preliminary Order – 07-110 – In the matter of improving Davern Street from Shepard Road to West Seventh Street, and setting date of public hearing for March 7, 2007. (File No. 19037)

Adopted Yeas - 5 Nays - 0

39. Preliminary Order – 07-111 – In the matter of improving the area referred to as the White Bear/Burns RSVP (Residential Street Vitality Project), and setting date of public hearing for March 7, 2007. (File No. 19032)

Adopted Yeas - 5 Nays - 0

40. Resolution Approving Assessment – 07-112 – In the matter of the assessment of benefits, cost and expenses for replacement of lead water service lines, as requested by property owners, from July through December, 2006, and setting date of public hearing for March 7, 2007. (File No. 0603LDSRP)

Adopted Yeas - 5 Nays - 0

41. Resolution Approving Assessment – 07-113 – In the matter of the assessment of benefits, cost and expenses for tenant remedy rehabilitation for properties at 528 Lawson Avenue East and 548 Van Buren Avenue during December 2006 (TR0604), and setting date of public hearing for March 7, 2007.

Adopted Yeas - 5 Nays - 0

42. Resolution Approving Assessment – 07-114 – In the matter of the assessment of benefits, cost and expenses for repair of sanitary sewer connections from July through December 2006 (SWRP0603), and setting date of public hearing for March 7, 2007

Adopted Yeas - 5 Nays - 0

FOR DISCUSSION

- 43. Update from Marcia Moermond, Legislative Hearing Officer, on property at 332 St. Clair Avenue. (Progress report requested by Council on August 9, 2006)
 A report was given by Marcia Moermond
 A six month progress report will be presented to Council on August 8, 2007.
- 44. Update from Larry Soderholm, Department of Planning and Economic Development on a proposed time schedule for returning the Planning Commission's recommendations for the City's River Corridor Chapter to the City Council. (Progress report requested by Council on September 13, 2006)

A report was given by Larry Soderholm.

A detailed report will be presented to Council in July, 2007

45. Report by District 13 representatives on the newly constituted governing board structure, draft bylaws, and a time-line for completion of the merger. (Report requested by Council on December 10, 2006, C.F. 06-759)

Councilmember Benanav said the three councils that make up District 13 have made substantial progress together. He introduced a substitute resolution that would pro-rate funding through May, 2007 when the next progress report is due.

See Suspension Item – Resolution 07-125

A progress report will be presented to Council on April 25, 2007.

ORDINANCES

NOTE: AN ORDINANCE IS A CITY LAW ENACTED BY THE CITY COUNCIL. IT IS READ AT FOUR SEPARATE COUNCIL MEETINGS AND BECOMES EFFECTIVE AFTER PASSAGE BY THE COUNCIL AND 30 DAYS AFTER PUBLICATION IN THE <u>SAINT PAUL LEGAL LEDGER</u>.

- 46. Final Adoption 06-1047 An ordinance amending the Saint Paul Legislative Code by creating a new section, Legislative Code § 69.511, entitled "parkland dedication requirements, residential developments." (Laid over from January 17)
 Councilmember Thune moved to lay over to February 28 for final adoption
 Yeas 6
 Nays 0
- 47. Final Adoption 07-29 An ordinance memorializing City Council action granting the application of Margery Wells to rezone property from RM-2 (Multiple-Family Residential) to OS (Office-Service) at 1449 Grand Avenue, between Pascal and Albert Streets. (Zoning File No. 06-240-622)

Councilmember Benanav moved approval

Adopted Yeas - 6 Nays - 0

- 48. Second Reading 07-74 An ordinance preserving the status quo pending the completion and report of a study and possible action on the study including amending the City's zoning ordinances regulating advertising signs as they may pertain to retrofitting existing advertising signs with new "digital" or "electronic" panels.

 Laid over to February 21 for third reading/public hearing
- 49. First Reading 07-115 An ordinance deleting Chapter 420 of the Saint Paul Legislative Code, "Scrap and Metal Processors," as that license has been replaced by Recycling Collection Center/Recycling Processing Center language.
 Laid over to February 14 for second reading

50. First Reading – 07-116 – An ordinance amending Chapter 225 of the Saint Paul Legislative Code by adding new sections defining and regulating Non-Lethal Firearms and deleting other sections therein.

Laid over to February 14 for second reading

Suspension Item

Councilmember Benanav moved suspension of the rules to introduce the following resolution: Yeas - 6 Navs - 0

Resolution – 07-125 – Directing the Department of Planning and Economic Development to allow pro-rated annual funds through May 1, 2007 extending the contract, work plan and funding formulas used in 2006 and report on progress back to the Council

Councilmember Benanav said introducing this resolution will continue their funding on a pro-rated basis through May, 2007.

Councilmember Benanav moved approval. Adopted Yeas – 6 Nays – 0

The meeting was recessed from 3:40 p.m. to 5:30 p.m.

Present -5 – Benanav, Bostrom, Harris, Helgen, Lantry, Montgomery, Thune Absent -2 - Bostrom, Montgomery (arrived later in the meeting)

PUBLIC HEARINGS

- 51. Third Reading 07-38 An ordinance amending Chapter 166.10 of the Saint Paul Legislative Code by extending the residential street permit parking district in the Irvine Park neighborhood to include residents on the south side of Exchange Street.
- 52.

 No one appeared in opposition; Councilmember Thune introduced amendments and closed the Public Hearing Yeas 6 Nays 0 (Montgomery not present)

 Laid over to February 14 for final adoption
- 53. Third Reading 07-39 An ordinance amending Chapter 64 of the Saint Paul Legislative Code pertaining to signs, amending existing language and adding new language pertaining to temporary signs, skyway banners and light pole banners; amending Saint Paul Legislative Code Section 140.07 pertaining to skyway advertising and exterior signs, adding new language regulating exterior skyway banners; and amending Saint Paul Legislative Code Section 286.03 pertaining to posting of masts and poles, regulating banners on light poles.

The following appeared in opposition to this issue:

John Borden, Director of the International Institute of MN; Tom Brock, Saint Paul RCVA (He also read into the record a statement from the McNally-Smith Music Coordinator who is in opposition to this); Erin Dady, Director of Marketing in the City of Saint Paul; John McNamara, Department of Public Works; Bill Collins, Actor's Theatre; and John Rea Jr., Saint Paul.

- The ordinance will inhibit marketing upcoming events in Saint Paul.
- Concerns were addressed on size restriction; costs to replace those banners; brackets to replace the banners which are a hidden costs; and the size limitation inhibiting Public Works staff from maintaining them properly if the length is too long..
- Banners showcase Saint Paul as a vibrant city and it is vital to marketing Saint Paul events. Allowing this ordinance to go through sends the message the Saint Paul is not important.

The following appeared in support of the ordinance:

John Manillo, Chair of Capital River Council; Bob Spaulding, Treasurer of Capital River Council; and Rod Halvorson, President-Elect of Capital River Council.

- The content of the banners is not changing the focus is on the size, logo size, and rotating skyway banners from one location to another.
- Costs to Public Works would be a one-time expense and Public Works staff indicated a 30 feet length restriction would not hinder them in moving these banners.
- The ordinance allows for three (3) years to change the banner and conform to the size changes which would be the time most places would replace their banners.
- It was acknowledged that skyway banners are useful marketing tools but they need to balance objectives when they are not useful and can be a negative for the City.
- The ordinance codifies the uniformity of the signs.

Councilmember Thune and Patricia James, Department of Planning and Economic Development introduced amended versions of the ordinance before the public hearing. Councilmember Thune moved to close the public hearing Yeas-7 Nays - 0 Amended and laid over to February 14 for final adoption

53. Resolution – 07-117 – Granting the City of Saint Paul's Public Works Sewer Utility a sound level variance from January 8, 2007 to April 30, 2007 in order to operate equipment to repair the Saint Peter-Rondo Storm Tunnel. (GS 3036361)

Bill Gunther, Department of License Inspection and Environmental Protection (LIEP), presented two (2) letters opposing this issue.

Jason Morzenti, 873 Lafond Avenue, spoke in opposition to the sound level variance.

Councilmember Montgomery moved to close the public hearing. Yeas -7 Nays -0

Joe Mueller; Department of Public Works, Sewer Division, spoke in detail about the project and stressed that this is an emergency situation that needs to be repaired immediately. He felt Public Works could plow the alley this year at the City's cost to accommodate neighbors since they couldn't use the alley. He agreed to talk with Jason Morzenti on this issue after the hearing.

Councilmember Montgomery moved approval

Adopted Yeas - 6 Nays - 0 (Thune not present)

54. Public hearing to consider the application of Kristi Wheeler/Adam H. A. Duckwall for the subdivision (Combined Plat) for Duckwall Division to create two single family parcels at 519 Wheelock Parkway East between Hoyt Avenue and Edgerton Street. (Zoning File No. 06-115-643)

Patricia James, Department of Planning and Economic Development, gave a staff report stating that the plan complies with the zoning code and that they will have to go through a couple of processes to proceed further.

The applicants Adam and Kirk Duckwall spoke in support of granting the application.

Leslie McMurray, 1014 Payne Avenue and a District 5 Council representative spoke in opposition to the application.

Councilmember Helgen moved to close the public hearing and lay over to March 7. This item may be recalled if the City Attorney determines Council action is required before March 7.

Laid over to March 7 Yeas -6 Nays -0 (Harris not present)

55. Public hearing to consider the application of Nou Vang to rezone property from I1 (Light Industrial) to TN2 (Traditional Neighborhood) at 892 Hamline Avenue North, northeast corner at Pierce Butler Route. (Zoning File No. 06-289-537)

Patricia James, Department of Planning and Economic Development, gave a staff report that recommends approval.

No one spoke in opposition to this issue; Councilmember Benanav moved to close the Public Hearing and approval.

Motion of Intent – Application granted Yeas - 7 Nays – 0

56. Resolution – 07-118 – Ordering the owner to remove or repair the building(s) at 1897 Feronia Avenue within ten (10) days from adoption of resolution. (Legislative Hearing

Officer recommends approval)

No one appeared in opposition; Councilmember Benanav moved approval.

Adopted Yeas - 7 Nays - 0

57. Resolution – 07-119 – Ordering the owner to remove or repair the building(s) at 646 Maryland Avenue West within fifteen (15) days from adoption of resolution. (GS 3035597) (Legislative Hearing Officer recommends removing the building within fifteen (15) days with no option for repair.)

No one appeared in opposition; Councilmember Bostrom moved to close the public hearing and approval as amended

Adopted as amended (per the recommendation of the Legislative Hearing Officer) Yeas - 5 Nays - 0 (Benanav and Helgen not present)

58. Resolution – 07-120 – Ordering the owner to remove or repair the building(s) at 872 Simcoe Street within fifteen (15) days from adoption of resolution. (Legislative Hearing Officer recommends granting the owner one-hundred eighty (180) days to complete the repairs to the building provided the following conditions are met by Friday, February 2: 1) provide an approved work plan outlining the necessary repairs to the building with a timeline for completing the repairs; and 2) provide an approved financing plan outlining the financial wherewithal to complete the necessary repairs.)

Marcia Moermond, Legislative Hearing Officer, recommended a two week layover.

No one appeared in opposition; Councilmember Helgen moved to close the public hearing and lay over for two weeks.

Laid over to February 21, 2007 Yeas -6 Nays -0 (Benanav not present)

59. Resolution – 07-121 – Ordering the owner to remove or repair the building(s) at 66-68 Stevens Street East within fifteen (15) days from adoption of resolution. (Legislative Hearing Officer recommends continuing this matter to the February 21 public hearing provided the following conditions are met by noon on Wednesday, February 7: 1) the performance bond must be posted; 2)the vacant building fees must be paid; and 3) a code compliance inspection must be completed.)

Marcia Moermond, Legislative Hearing Officer, said half of the conditions have been met so her final recommendation was to proceed with the order to remove or repair within 15 days.

Tammy Nehmzow, 66-68 Stevens Street East, stated the bank took possession of the property as of December, 2006 and they are in the process of selling it if the offer is

accepted.

Councilmember Thune moved to close the public hearing and approval Adopted (remove or repair within 15 days) Yeas - 7 Nays - 0

- 60. Resolution Ratifying Assessment 07-122 In the matter of the assessment of benefits, cost and expenses for boarding-up of vacant buildings during the month of September, 2006 (J0611B); summary abatement for the excessive consumption of inspection services for property code violations billed from July 3 to August 3, 2006 (J0606E); summary abatement (property clean-up) from October 16 to October 30, 2006 (J0616A); providing weekly garbage hauling services from October 3 to October 25, 2006 (J0614G); and demolition of vacant building at 1111 Westminster Street in November, 2006 (J0607C). (Legislative Hearing Officer recommends the following:
 - 493 Bay Street (J0606E) delete the assessment;
 - 412 Cherokee Avenue (J0606E) delete the assessment;
 - 412 Cherokee Avenue (J0616A) approve the assessment;
 - 814 Chippewa Avenue (J0606E) delete the assessment;
 - 694 Fourth Street East (J0606E) approve the assessment;
 - 1029 Galtier Street (J0611B) approve the assessment;
 - 694 Jenks Avenue (J0606E) approve the assessment;
 - <u>417 Jessamine Avenue</u> (J0616A) recommendation is forthcoming <u>approve the assessment;</u>
 - 458 Lafond Avenue (J0606E) delete the assessment;
 - 588 Lawson Avenue East (J0616A) approve the assessment;
 - 588 Lawson Avenue East (J0614G) approve the assessment;
 - 1164 Norton Avenue (J0616A) delete the assessment;
 - 270 Page Street East (J0606E) delete the assessment;
 - 1141 Palace Avenue (J0616A) approve the assessment;
 - 1571 Payne Avenue (J0616A) delete the assessment;
 - 792 Rice Street (J0606E) approve the assessment;
 - 1491 Seventh Street West (J0611B) delete the assessment;
 - 764 Tatum Street (J0616A) approve the assessment;
 - 1298 Thomas Avenue (J0606E) approve the assessment;
 - 910 Wilson Avenue (J0616A) delete the assessment;
 - 441 York Avenue (J0611B) approve the assessment; and
 - <u>1583 York Avenue</u> (J0616A) reduce the assessment from a total of \$414 to a total of \$234)

Additional addresses:

- 844 Payne Avenue (J0616A) approve the assessment;
- 895 Wakefield Avenue (J0616A) approve the assessment.

The following spoke in opposition:

Karen Grebowski and Tom Huber Sr., 595 E. Lawson Avenue, regarding 588 E. Lawson; and Kevin Moore, 895 Wakefield Avenue.

Councilmember Thune moved to close the public hearing Yeas - 7 Nays - 0

Councilmember Bostrom moved approval as amended

Adopted as amended (per the recommendation of the Legislative Hearing Officer)

Yeas - 7 Nays - 0

- 61. Resolution Ratifying Assessment 07-123 In the matter of summary abatement (property clean-ups) from October 30 to December 1, 2006 (J0617A); providing weekly garbage hauling services from October 31 to November 28, 2006 (J0615G); demolition of vacant buildings during November, 2006 (J0608C); towing abandoned vehicles from private properties during September, 2006 (J0606V); and summary abatement for the excessive consumption of inspection services for property code violations billed from August 2 to September 1, 2006 (J0607E). (Legislative Hearing Officer recommends the following:
 - 1129 Abell Street (J0607E) approve the assessment;
 - 1083 Albemarle Street (J0607E) approve the assessment;
 - 1081 Arcade Street (J0617A) approve the assessment;
 - <u>998 Bush Avenue</u> (J0617A) recommendation is forthcoming <u>approve the assessment and</u> spread the payments over five (5) years;
 - 1184 Bush Avenue (J0617A) approve the assessment;
 - 240 Charles Avenue (J0617A) approve the assessment;
 - 842 Clear Avenue (J0617A) approve the assessment;
 - 536 Como Avenue (J0617A) approve the assessment; reduce the assessment from a total of \$498 to a total of \$298 and spread the payments over two (2) years;
 - 536 Como Avenue (J0615G) reduce the assessment from a total of \$320 to a total of \$160 and spread the payments over two (2) years;
 - 1123 Edgerton Street (J0607E) approve the assessment;
 - <u>1366 Fremont Avenue</u> (J0617A) reduce the assessment from a total of \$2,140 to a total of \$1,738 and spreading the payments over five (5) years;
 - 326 George Street West (J0617A) delete the assessment;
 - 633 Hague Avenue (J0607E) delete the assessment;
 - 648 Iglehart Avenue (J0617A) recommendation is forthcoming approve the assessment;
 - 648 Iglehart Avenue (J0607E) recommendation is forthcoming approve the assessment;
 - <u>405 Jessamine Avenue East</u> (J0617A) recommendation is forthcoming <u>approve the assessment;</u>
 - <u>604 Jessamine Avenue East</u> (J0617A) approve the assessment and spread the payments over five (5) years;

<u>604 Jessamine Avenue East</u> (J0615G) - reduce the assessment from a total of \$270 to a total of \$50;

808 Jessamine Avenue (J0607E) - approve the assessment;

588 Lawson Avenue East (J0615G) - approve the assessment;

1362 Marion Street Vacant Lot (J0617A) - delete the assessment

1932 Nebraska Avenue East (J0607E) - approve the assessment;

1264 Payne Avenue (J0607E) - approve the assessment;

1234 Rice Street (J0615G) - delete the assessment;

961 Seventh Street West (J0617A) - delete the assessment;

1891 Seventh Street East (J0607E) - delete the assessment.

1525 Sherburne Avenue (J0607E) - delete the assessment;

1120 Sixth Street East (J0617A) - approve the assessment;

832 Syndicate Avenue North (J0607E) - delete the assessment; and

426 Wabasha Street South (J0607E) - delete the assessment.)

Additional addresses:

360 Sherburne Avenue (J0607E) - delete the assessment;

895 Wakefield Avenue (J0617A) – approve the assessment.

The following spoke in opposition:

Kevin Moore, 895 Wakefield; Kevin Arndt, 536 Como Avenue; Andy Luna, 1366 Fremont; and Elmita Bosa (SP??), tenant at 360 Sherburne.

Councilmember Thune moved to close the public hearing Yeas - 7 Nays - 0

Councilmember Helgen moved approval as amended Adopted as amended (per the recommendation of the Legislative Hearing Officer) $Yeas-7 \qquad Nays-0$

62. Resolution Ratifying Assessment – 07-124 – In the matter of summary abatement (property clean-up) at 1024 Jessie Street on September 2, 2006 (J0613A1); providing weekly garbage hauling at 1234 Rice Street on September 12, 2006 (J0611G1); summary abatement (property clean-ups) from September 16 to September 29, 2006 (J0614A1); providing weekly garbage hauling services at 1234 Rice Street from September 12 to September 26, 2006 (J0612G1); summary abatement for excessive consumption of inspection services for property code violations billed to 62 Winifred Street from May 15 to June 30, 2006 (J0605E1); and summary abatement (property clean-ups) at 1132 Central Avenue West on October 6 and October 11, 2006 (J0615A1). (Laid over from January 17) (GS 3036423) (Legislative Hearing Officer recommends the following:

 $\underline{1132\ Central\ Avenue}\ (J0615A1)$ - approve the assessment and spread the payments over five (5) years;

887 Jenks Avenue (J0614A1) - reduce the assessment from a total of \$358 to a total of \$100 and spread the payments over two (2) years;

1024 Jessie Street (J0613A1) - approve the assessment;

191 Maryland Avenue West (J0614A1) - reduce the assessment from a total of \$386 to a total of \$150;

1234 Rice Street (J0611G1) - delete the assessment;

1234 Rice Street (J0612G1) - delete the assessment; and

<u>62 Winifred Street West</u> (J0605E1) - recommendation is forthcoming; <u>approve the</u> assessment.)

Moe Kia, 62 Winifred Street West, spoke in opposition.

Marcia Moermond stated that three legislative hearings were missed regarding this matter.

Mohammed Shahidullah, 1132 Central Avenue, spoke in opposition.

Council President Lantry moved to close the public hearing and approval of the resolution as amended.

Adopted as amended (per the recommendation of the Legislative Hearing Officer)

Yeas - 7 Nays - 0

63. Appeal of Andrea Jepsen, Southern Minnesota Regional Legal Services, on behalf of Geraldine Bugg, to a Condemnation and Order to Vacate property at <u>721 Delaware Avenue</u>. (Public hearing continued from January 17) (Legislative Hearing Officer recommends granting the owner 48 hours to contract with a plumber to make emergency repairs to the sewer line by Friday, January 26. If the owner fails to comply, the property must be immediately vacated.)

No one appeared in opposition; Councilmember Thune moved to close the public hearing and refer back to the February 27 Legislative Hearing and the March 7 City Council Public Hearings (per the recommendation of the Legislative Hearing Officer)

$$Yeas - 7$$
 $Nays - 0$

64. Appeal of Tikiila Russell to a Notice of Condemnation and Order to Vacate property at 1134 Reaney Avenue. (Legislative Hearing Officer recommends granting the appeal.)

No one appeared in opposition; Councilmember Thune moved to close the public hearing and grant the appeal.

Appeal Granted Yeas - 7 Nays - 0

65. Appeal of Lawrence Ronning to a Condemnation and Order to Vacate property at <u>861 Burr Street</u>. (Legislative Hearing Officer recommends denying the appeal.)

No one appeared in opposition; (and deny the appeal.	Councilmember Bostrom moved to close the public hearing
• 11	Nays – 0
Councilmember Thune moved to adjour	on the meeting $Yeas - 7$ $Nays - 0$
	ADJOURNED at 7:50 P.M.
ATTEST:	
Mary Erickson	Kathy Lantry, Council President
Assistant Council Secretary	Rathy Lantry, Council Fresident
Submitted by:	March 7, 2007
Carol Broermann	Minutes approved by Council